

**§ 160.062-8 Procedures for acceptance of testing facility.**

(a) The Commandant may consider the acceptance of a facility that conducts only the submergence test contained in § 160.062-4(c)(2)(i). Before a facility is accepted by the Commandant to conduct this test, it must be inspected by the cognizant Officer in Charge, Marine Inspection, to determine if it has—

(1) The testing apparatus to perform the test required in § 160.062-4(c)(2)(i); and

(2) Employees competent to perform the test required in § 160.062-4(c)(2)(i). Each employee who is engaged in testing a device must demonstrate his competence to the Officer in Charge, Marine Inspection by conducting a submergence test.

(b) Based on the report of the Officer in Charge, Marine Inspection, regarding the inspection required in paragraph (a) of this section, the Commandant notifies each applicant, in accordance with the procedures described in § 160.062-7(b), whether or not it is an accepted testing facility.

[CGD 73-153R, 40 FR 4422, Jan. 30, 1975]

**Subpart 160.064—Marine Buoyant Devices****§ 160.064-1 Applicable specifications.**

(a) *Specifications.* There are no other Coast Guard specifications applicable to this subpart.

(b) [Reserved]

[CGFR 64-30, 29 FR 7388, June 6, 1964]

**§ 160.064-2 Types and models.**

(a) *Types.* Water safety buoyant devices covered by this subpart shall be of two general types, viz, those intended to be worn on the body and those intended to be thrown.

(b) *Models.* Water safety buoyant devices may be of different models which incorporate characteristics considered valuable for safety in various fields of water sports or boating activities.

(c) *Sizes.* Water safety buoyant devices designed to be worn shall be of sizes suitable for adults or children, as intended and marked on the device. Water safety buoyant devices intended

to be thrown in water shall be of a minimum size intended for adults.

(d) *Dimensions.* A foam cushion designed to be thrown must be 2 inches or more in thickness and must have 225 or more square inches of top surface area.

[CGFR 64-30, 29 FR 7388, June 6, 1964, as amended by CGD 73-246R, 39 FR 36967, Oct. 16, 1974]

**§ 160.064-3 Requirements.<sup>1</sup>**

(a) *General.* Every water safety buoyant device shall conform to the requirements as accepted by the Commandant for listing and labeling by a recognized laboratory, and shall be of such design, materials, and construction as to meet the requirements specified in this section.

(b) *Designs and constructions.* Water safety buoyant devices shall be of designs suitable for the purposes intended. A design intended to be worn on the body shall be capable of being adjusted and secured to fit the range of wearers for which designed with as few fastenings or adjustments as are consistent with the purpose of the device. Designs may be varied, but shall not provide means intended for fastening or securing the device to a boat. The arrangement of the buoyancy of devices intended to be worn on the body shall provide for flotation of the wearer in an upright, slightly backward position in the water to as great a degree as is consistent with the special purpose intended, and in no case shall the device have a tendency to turn the wearer face downward in the water. Devices intended to be thrown shall not provide means for adjustment or close fitting to the body. Methods of construction shall provide strengths, with reinforcements where necessary, to be adequate for the intended use and purpose of the device.

(c) *Materials.* All materials used in any device covered by this subpart must meet the applicable requirements of subpart 164.019 of this chapter and shall be all new materials and shall be suitable for the purpose intended and

<sup>1</sup>The manufacturer of a personal flotation device must meet 33 CFR 181.701 through 33 CFR 181.705 which require an instruction pamphlet for each device that is sold or offered for sale for use on recreational boats.